

JUNK YARD ORDINANCE

ORDINANCE NO. 61

AN ORDINANCE TO LICENSE AND REBULATE THE STORING, WRECKING AND SIDMANTLING OF WRECKED AUTOMOBILES, JUNK YARDS AND SHOPS: TO PROHIBIT THE STORAGE OF WRECKED, OLD OR JUNKED AUTOMOBILES OR OLD SALVAGED MATERIALS ON UNLICENSED PREMISES AND TO PROVIDE REGULATIONS FOR SUCH BUSINESS AND TO FIX PENALTIES FOR SUCH VIOLATION OF THIS ORDINANCE,

THE VILLAGE OF NORTHPORT ORDAINS:

Section I.

From and after the taking effect of This Ordinance, it shall be unlawful for any person or persons, firm or corporation, to engage in the storing, dismantling or wrecking of automobiles, or keep, operate and maintain a junk yard or shop, or keep and store old salvaged materials without first procuring a license to do so as hereinafter provided.

Section II.

Application for a license above referred to shall be made in writing with the Village Clerk, and said Village Clerk shall present such application or applications to the Village Council at its next regular meeting at which there is a quorum present for the Village Council's disposition.

Section III.

On receiving said application or applications, the Village Council shall consider the application, and on consideration thereof, if its members consider the premises in said application a proper and suitable location for the business to be conducted thereon, and the applicant and applicants suitable persons to conduct said business, said Council may, by a majority vote, authorize the issuance of such license provided, however that no such business or businesses shall be licensed within any residential district within the confines of the Village of Northport, unless such applicant or applicants shall file with the application, the written consent of three fourths of the residents and property owners on both sides of the streets within 500 feet in all directions from the property lines of the premises for which a license is sought.

Section IV.

Upon authorization by the Village Council of such license, the license shall be forthwith issued by the Village Clerk upon the payment of an annual license fee of \$10.00. All licenses so

issued shall expire on the first day of July following the issuance of such licenses, unless previously revoked and provided, further, that said license shall not be transferable.

No person or persons, firm or corporation, now carrying on a business requiring such license shall continue such business until he has obtained a license as provided by This Ordinance.

Section V.

The Village Council may impose, as a condition for the granting of a license to operate a junk yard or shop, whenever the owner thereof finds it desirable and necessary to store junk, goods, equipment and supplies or carrying on the wrecking and dismantling of automobiles outside the confines of the building structure, an enclosure by solid fence or its equivalent not less than eight feet in height around such yard storage area, or around such portion thereof as the Council may deem necessary, and provided further, that said fence shall be made and maintained in a manner that is consistent with the intent and purpose of this Ordinance, and does not adversely affect the adjacent property, and provided, further, that no such business shall be conducted on said premises, or any portion thereof, as to create a nuisance by reason of noise, odors or fumes.

Section VI.

A license hereunder may keep his place open and may purchase or sell only between the hours of 7:00 o'clock in the forenoon to 7:00 o'clock in the evening on any day except that such business must be closed on Sunday.

Section VII.

The Village Council may impose any other regulations and restrictions as may be necessary to promote the health, welfare, safety and interest of the residents of the Village of Northport, and to prevent the storing, wrecking and dismantling of wrecked automobiles and the operation of junk yards and shops in such a manner as to be a nuisance and offensive business with the Village limits.

Section VIII.

Any person found to be violating any of the provisions of this Ordinance, shall, upon conviction, thereof, be subject to a fine not exceeding one hundred (100) dollars, or imprisonment not to exceed thirty days in the County jail, or both, in the discretion of the appropriate court.

Section IX.

This Ordinance, and the various parts, sections and clauses thereof are hereby declared to be separable. If any part, section or clause is adjudged unconstitutional or invalid, it is intended that the balance of the ordinance shall not be affected thereby.

Section X.

For the purpose of This Ordinance, the following words and clauses shall be defined as follows, to-wit:

- a) Junk- shall include the purchasing, collecting, storing and selling of zinc, iron, brass, tin, copper, lead, aluminum, steel, old wire, fencing, bottles, paper, rubber, automobile parts, old washing machines, dryers, refrigerators, stoves and other old salvaged materials.
- b) Residents or Residential District- shall be defined as a territory contiguous to the premises for which a license is sought which is occupied and used for dwelling purposes, by one or more persons within the Village.
- c) Wrecked Automobiles- shall be defined as automobiles that are wrecked or automobiles unfit for reconditioning for highway use.

Section XI.

This ordinance shall take effect on the 1st day of June, 1965.